

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

W.S. SPENCER,

Plaintiff,

v.

PFIZER, INC., et al.,

Defendants.

Case No. 1:22-cv-737

HONORABLE PAUL L. MALONEY

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ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff initiated this lawsuit by filing his original complaint on August 12, 2022. (ECF No. 1). Defendants filed motions to dismiss. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on July 31, 2024, recommending that this Court grant the motions and enter judgment in favor of Defendants. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 92) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the motion to dismiss (ECF Nos. 51, 54, and 56) are GRANTED.

IT IS FURTHER ORDERED that for the same reasons the Court concludes that Plaintiff's claims are properly dismissed, the Court also concludes that any issue Plaintiff might raise on appeal would be frivolous. *Coppedge v. United States*, 369 US. 438, 445 (1962). Accordingly, the Court certifies that an appeal would not be taken in good faith.

A Judgment will be entered consistent with this Order.

Dated: August 22, 2024

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge